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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/594,149

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Tetsuro Shimamura

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KRATZ, QUINTOS & HANSON, LLP
1420 K Street, N.W.
4th Floor
WASHINGTON, DC 20005

EXAMINER

JEN, MINGJEN

ART UNIT

PAPER NUMBER

3664

MAIL DATE

DELIVERY MODE

05/20/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/594,149	Applicant(s) SHIMAMURA, TETSURO	
	Examiner IAN JEN	Art Unit 3664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04/07/2010</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the remark entered on March 22nd, 2010.
2. Claims 1 - 23 are pending in current application.
3. Claim 21 have been amended.
4. Claims 22, 23 has been newly added.
5. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 7, 9, 11, 13, 15, 17 - 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshida (US Pat No 5699056) in view of Myochin (US Pat Pub No 2005/0053310).

As per Claim 1, 17 – 20, Yoshida shows a map information acquirer which acquires a plurality of map component information (Fig 2, GPS receiver 22, receiver 12; Col 2, lines 50 -

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Col 3, lines 65, jam information, location information); an information acquirer which acquires map component information forming the map information, the plurality of map component information respectively representing at least one of traffic information relating to a traffic status or feature information relating to a feature (Fig 3, accident button 31A, traffic jam button 31B; Col 13, lines 40 – Col 15, lines 50, Fig 18; Col 2, lines 50 - Col 3, lines 65, jam information, location information); a time information acquirer which acquires a time at which the plurality of the map component information is acquired by the information acquirer or generated to be contained in the plurality of map component information (Fig 15, Step 102, Step 101; Col 17, lines 18 - 43 ; where the time is added when the information is obtained); the time being a start time and a timer which counts an elapsed time from start time up to a current time (Fig 15, Step 101; Col 14, lines 19-48; Col 5, lines 45 – Col 6, lines 30, clocking means, claim 10); a display controller which controls a display unit to display the map information and the plurality of map component (Fig 10; Col 12, lines 54 - 62); where the time comparison is made for a degree of reliability (Intended use where the time comparison with predetermined time period is intended for recognize a degree of reliability, see applicant's abstract); Further, it is also inherent that a start time must be shown since there is a predetermined time period where start elapsed from certain point and further where figure 15 shows the predetermined time elapsed along with a start time needed; where each plurality of map component information is given a time along with predetermined time period; Yoshida is silent regarding map component information of which the elapsed time exceeds a predetermined time period being displayed with a display pattern with higher transparency than the other of the plurality of map component information of which the elapsed time has not exceeded the predetermined time period;

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compares the counted elapsed time with a predetermined time period to determine a degree of each of the acquired plurality of map component information.

Myochin shows a display pattern of the map component information of which the counted elapsed time exceeds the predetermined time period is being displayed with a display pattern with higher transparency than a display pattern of the plurality of map component information of which the counted elapsed time has not exceeded the predetermined time period (Fig 8, 13A time information 13B, mask transmittance information, 0 second to 10 second varying, alteration, accordingly with respect to the mask transmittance information, transparency, from 100% - 0%; where the time from 0 second - 10 second is the elapsed time to be calculated and used accordingly with respect to the image data alteration. Applicant's attention is further directed to para 0150 - 0152, where time 0 is starting time, time x is predetermined time, where time y is the elapsed time); Compares the counted elapsed time with a predetermined time period to determine a degree of each of the acquired plurality of map component information (Fig 8, 13A time information 13B, mask transmittance information, 0 second to 10 second varying, alteration, accordingly with respect to the mask transmittance information, transparency, from 100% - 0%; where the time from 0 second - 10 second is the elapsed time to be calculated and used accordingly with respect to the image data alteration. Applicant's attention is further directed to para 0150 - 0152, where time 0 is starting time, time x is predetermined time, where time y is the elapsed time).

It would have been obvious for one of ordinary skill in the art, to provide transparency means with respect to time, as taught by Myochin, to the map information means of Yoshida, in order to provide improved visual signification at the time of the invention

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As per Claim 7, 9, 21, Yoshida shows a map information storage which stores the map information; and an information storage which can store plural pieces of information, in each piece each of the plurality of map component information and the time at which the each of the plurality of map component information is generated being associated; the information storage stores the plural pieces of information by associating unique identification information with each type of the map component information and the plural pieces of information by associating unique identification information with each type of the map component information (Fig 9, Center Computer 50, Fig 17, area id with respect to area id with preceding data, time, position, vehicle speed; Col 15, lines 20 – Col 16, lines 65; Col 17, lines 35 – col 19, lines 55); the display pattern of the plurality of the map component information comprises an icon (Fig 1, 4,8,9).

As per Claim 11, Yoshida shows when information acquirer acquires updated map component information of which unique identification information is identical with the unique identification information associated with one of stored plurality of map information, information storage conducts an updating by replacing stored plurality of map component information with the updated map component information (Fig 8, transmitter 41, Fig 9, transmitter 51, Fig 62.63; Col 2, lines 50 - Col 3, lines65, jam information, location information).

As per Claim 13, Yoshida shows when recognizing the updating the display controller displays the updated map component information in a different pattern from the other of the plurality of map component information (Fig 9, Center Computer 50, Fig 17, area id with respect

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to area id with preceding data, time, position, vehicle speed; Col 15, lines 20 – Col 16, lines 65; Col 17, lines 35 – col 19, lines 55).

As per Claim 15, Yoshida shows the display controller. Yoshida does not show controller displays such that a difference in transparency becomes large as the elapsed time become long. Myochin shows controller displays such that a difference in transparency becomes large as the elapsed time becomes long. (See Fig 8, Time information 13A, Mask Transmittance Information 13B; Para 0050, 0051, 0053; Para 0139, 0144-0146; See Fig 9, S210 – S212; Para 0201, timer of timing section 135H).

It would have been obvious for one of ordinary skill in the art, to provide transparency means with respect to time, as taught by, to Myochin, in order to provide improved visual signification at the time of the invention

As for claim 21,22, Yoshida et al shows one of the plurality of map component information comprises traffic jam information(Fig 2, GPS receiver 22, receiver 12; Col 2, lines 50 - Col 3, lines65, jam information, location information); the traffic jam information is stored in a table structure comprising a plurality of items as a single data, the plurality of items including data regarding traffic jam that exists at a specific time point at a specific location and a status of the traffic jam (See Fig 17, Fig 25).

Response to Arguments

8. In response to applicant's remark that applicant has now adapted the suggestion from one of ordinary skill in the art with respect to the substance that previously discussed in the interview; Applicant's attention is directed to previously provided interview summary; where it states, " Further suggestion with respect to possible claim limitation amendment is provided....further clarification regarding map component information as traffic jam information, parking area information shown on Fig 2,3 along with providing unique identification information is suggested"; However, one of ordinary skill in the art has not observed the particularly distinguishable feature with respect to the parking area information as previously discussed. The limitation has been addressed as obvious with respect to the reference(s) above.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- JP 09/292834 shows a traffic information receiving, controlling and displaying device. The device provide route/path delay information on display device, Para 0014, where the display information changes its shape/color with respect to travel distance and fixed time. Para 0014 – 0021.
- JP 2003/ 222528 shows the traffic information displaying device with respect to the display of transition of delay and and/or transition of a passage duration on delay transition data, Para 0017; Para 0023 - 27 shows information display processing with respect to time.

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- JP 2001/159532, shows navigation map screen display control device, provide information component along the route while vehicle traveling.

13. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IAN JEN whose telephone number is (571) 270-3274. The examiner can normally be reached on Monday - Friday 9:00-6:00 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on 571-272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ian Jen/

Examiner, Art Unit 3664

/KHOI TRAN/

Supervisory Patent Examiner, Art Unit 3664